

HOUSE BILL 2322

By Cooper B

AN ACT to amend Tennessee Code Annotated, Title 4 and Title 49, relative to education.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 4-21-203(a), is amended by designating the existing language as subdivision (a)(1) and by adding the following language as a new subdivision (a)(2):

(2) In addition to the duties and responsibilities of the human rights commission pursuant to chapter 29 of this title, it is the responsibility of the human rights commission to verify that all charter schools operating under title 49, chapter 13, comply with the requirements of Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d et seq. and regulations promulgated pursuant to Title VI.

SECTION 2. Tennessee Code Annotated, Section 49-13-104(4), is amended by deleting the subdivision in its entirety.

SECTION 3. Tennessee Code Annotated, Section 49-13-104, is amended by adding the following as a new subdivision to be appropriately designated:

() "Adequate yearly progress" means progress as determined under the Tennessee value-added assessment system, as approved, if necessary, by the federal department of education;

SECTION 4. Tennessee Code Annotated, Section 49-13-111(a), is amended by adding the following as a new subdivision:

(6) Advance students on the basis of credits earned by skills mastery so that students may progress at their own rate of learning.

SECTION 5. Tennessee Code Annotated, Section 49-13-111(i), is amended by deleting the subsection in its entirety and by substituting instead the following:

(i) All teachers in a public charter school must be qualified to teach by knowledge and experience.

SECTION 6. Tennessee Code Annotated, Section 49-13-112(b)(1), is amended by deleting the language "LEA, including" and by substituting instead the language "LEA, including all other public funds, including all funds received under subdivision (e)(1)(A), (C) and (D), and also including".

SECTION 7. Tennessee Code Annotated, Section 49-13-112(b), is amended by adding the following as a new subdivision (b)(4):

(4) The department of education shall develop a graduated scale for BEP funding under this chapter that establishes priorities for funding that assigns highest priority to funds for high schools, an intermediate priority for middle schools and lowest priority for elementary schools.

SECTION 8. Tennessee Code Annotated, Section 49-13-112(c)(1), is amended by deleting the last two sentences of the subdivision and by substituting instead the following: The department shall distribute from the reserved amount directly to each charter school its total per pupil share as determined by its annual school enrollment. The per pupil share of each charter school shall be based on prior year annual school enrollment, except that the per pupil share of any charter school in its first year of operation shall be based on the anticipated enrollment in the charter agreement.

SECTION 9. Tennessee Code Annotated, Section 49-13-112(c)(3), is amended by deleting the language "BEP for capital" and by substituting instead the language "BEP for school bus transportation and for capital".

SECTION 10. Tennessee Code Annotated, Section 49-13-112(d), is amended by deleting the subsection in its entirety and by substituting instead the following:

(d) In complying with the requirements for allocating funds to the public charter school, for insurance purposes, the charter school shall be under the coverages for traditional public schools in the LEA.

SECTION 11. Tennessee Code Annotated, Section 49-13-112, is amended by adding the following as a new subsection:

(f) Supplemental educational services funds shall be made available to nonprofit organizations for the provision of additional and on-going remediation services to Title I children in public charter schools.

SECTION 12. Tennessee Code Annotated, Section 49-13-113(b)(2), is amended by deleting the subdivision in its entirety and by substituting instead the following:

(2)

(A) If applications exceed the planned capacity of the public charter school, then for each facility there shall be open enrollment to the facility's capacity on a first come, first served basis. At the point in which enrollment is filled, then a waiting list shall be instituted. The use of a lottery in enrollment is prohibited.

SECTION 13. Tennessee Code Annotated, Section 49-13-122(a)(2), is amended by deleting the language " two (2) consecutive" and by substituting instead the language "five (5) consecutive".

SECTION 14. Tennessee Code Annotated, Section 49-16-204, is amended by deleting the first sentence in its entirety and by substituting instead the following: "Virtual schools shall be established by each LEA for all traditional public schools and public charter schools for that

portion of the student enrollment that has demonstrated the need for alternative learning experiences."

SECTION 15. This act shall take effect July 1, 2012, the public welfare requiring it.